

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DONALD C. FALLER,

Plaintiff,

v.

FLUOR CORPORATION, REC  
SOLAR GRADE SILICON LLC,  
IMCO GENERAL  
CONSTRUCTION, INC., AND,  
“DOES 1 THROUGH 10,  
INCLUSIVE,”

Defendants.

No. CV-11-0359-RHW

**ORDER GRANTING STIPULATED  
MOTION FOR ORDER OF  
DISMISSAL**

Before the Court is the parties’ Stipulated Motion for Order of Dismissal, ECF No. 38, heard without oral argument. Upon stipulation of all counsel that the above-captioned matter has been resolved, the Court finds there is good cause for the dismissal and **grants** the motion. Plaintiff’s complaint is **dismissed**, with prejudice, and without costs to any party.

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**ORDER GRANTING STIPULATED MOTION  
FOR ORDER OF DISMISSAL \* 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulated Motion for Order of Dismissal, ECF No. 38, is  
3 **GRANTED.**

4 2. Plaintiff's complaint is **DISMISSED**, with prejudice, and each party  
5 shall pay its own costs and attorney's fees.

6 3. All pending motions, including Defendants' Motion for Summary  
7 Judgment of Dismissal, ECF No. 32, are **DENIED**, as moot. Also, all hearings and  
8 other deadlines are **STRICKEN**.

9 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
10 Order, forward copies to counsel, and **CLOSE** the file.

11 **DATED** this 19<sup>th</sup> day of June, 2013.

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13 *s/Robert H. Whaley*  
14 ROBERT H. WHALEY  
15 Senior United States District Judge  
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**ORDER GRANTING STIPULATED MOTION  
FOR ORDER OF DISMISSAL \* 2**